

AMENDED IN SENATE JUNE 1, 2009  
AMENDED IN SENATE MAY 20, 2009  
AMENDED IN SENATE MAY 4, 2009  
AMENDED IN SENATE MARCH 31, 2009

**SENATE BILL**

**No. 244**

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**Introduced by Senator Wright  
(Coauthors: Senators Alquist, Hancock, and Liu)**

February 24, 2009

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~~An act to amend Sections 8227, 8236, 8263, 8301, 8499.5, and 79121 of, and to add Sections 8210 and 8499.11 to, the Education Code, and to amend Sections 401 and 16001.9 of the Welfare and Institutions Code, relating to children's services.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 244, as amended, Wright. Children's services: high-risk children.

~~(1) The Child Care and Development Services Act requires the Superintendent of Public Instruction to administer child care and development programs that provide a full range of services for eligible children from infancy to 13 years of age.~~

~~Existing law authorizes funds appropriated for child care and development services to be used for alternative payment programs, and requires alternative payment agencies in each county to design, maintain, and administer a countywide centralized eligibility list that includes specified information relating to child characteristics.~~

~~This bill would require the central eligibility list also to include certain additional information, including whether a child from birth to 5 years of age is in the foster care system, in relative care or reunification;~~

~~formerly in the foster care system and recently adopted, homeless, or has a custodial parent who meets certain criteria.~~

~~(2) Existing law requires the Superintendent to administer all California state preschool programs, and requires applicants and contracting agencies to give priority to 3- or 4-year-old neglected or abused children or children who are at risk of being neglected, abused, or exploited, as specified. Existing law requires agencies, after children in that first priority category are enrolled, to enroll eligible 4-year-old children prior to enrolling eligible 3-year-old children.~~

~~This bill would further prioritize the enrollment of the children in the 2nd category based on specified criteria, including children who are in relative care or reunification, are formerly in the foster care system and recently adopted, homeless, or have a custodial parent who meets specified criteria.~~

~~(3) Existing law sets forth certain requirements for a family to be eligible for federal and state subsidized child development services.~~

~~This bill would include families with children from birth to 5 years of age who seek placement in a program operated by a licensed child care provider or local educational agency who are in relative care or reunification, were in the foster care system and recently adopted, are homeless or are dependents of custodial parents who meet specified criteria. The bill would make conforming changes. The bill would also specify that those children have the right to continuous enrollment if their residence or placement changes, except as specified.~~

~~(4) Existing~~

~~Existing law establishes the Early Learning Quality Improvement System Advisory Committee, and requires the committee to submit a report *containing recommendations for the creation of an Early Learning Quality Improvement System, as specified*, to the Legislature and the Governor by December 31, 2010.~~

~~This bill would require the committee to include additional information in that report relating to the availability and adequacy of high-quality child care and development programs for certain children, including *State Department of Education to conduct a study regarding the feasibility of providing priority enrollment in high-quality child care and development programs for children from birth to 5 years of age who are in the foster care system, in relative care or reunification, or were formerly in the foster care system, who are at risk of abuse, neglect, or exploitation, are homeless, or have a custodial parent who meets specified criteria. The department would be required to report*~~

*its findings to the Governor and to appropriate fiscal and policy committees of the Legislature by December 31, 2010.*

~~(5) Existing law provides for the establishment of local child care and development planning councils, and requires each local planning council to conduct an assessment of child care needs in the county that includes all factors deemed appropriate by the local planning council, as specified.~~

~~This bill would include among those factors the need for child care for income-eligible children from birth to 5 years of age in relative care or reunification, who have formerly been in the foster care system and have recently been adopted, are homeless, or have a custodial parent that meets specified criteria.~~

~~(6) The federal Head Start Act is established to promote school readiness for children from lower income families. Existing law states the Legislature's findings and declarations relating to federal requirements for grantees of federal Head Start funds.~~

~~This bill would express the Legislature's intent that when Head Start and early Head Start programs perform community needs assessments and determine local priorities, that they seriously consider the needs of hidden populations and giving open slots to income-eligible children who meet certain criteria, including children who are in the foster care system or at risk of abuse, neglect, or exploitation, among others.~~

~~(7) Existing law authorizes any county to institute a program of advocates for pupils in foster care placement that uses educational advocates to assist children in foster care through the educational system, including facilitating the school enrollment of pupils in foster care.~~

~~This bill would also require the advocate to facilitate the enrollment of children in the foster care system in child care and development programs.~~

~~(8) Existing law specifies that children in foster care have certain rights, including the right to attend school.~~

~~This bill would also include the right to attend high-quality child care and development programs.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.~~

*The people of the State of California do enact as follows:*

1     SECTION 1. (a) The State Department of Education shall  
2     conduct a study regarding the feasibility of providing priority

1 enrollment in high-quality child care and development programs  
2 for children from birth to five years of age who are in the foster  
3 care system, in relative care or reunification, or were formerly in  
4 the foster care system, who are at risk of abuse, neglect, or  
5 exploitation, are homeless, or have a custodial parent in the foster  
6 care system, or are on probation or parole, or in a correctional  
7 or residential treatment facility.

8 (b) The department shall report the findings of the study required  
9 in subdivision (a) to the Governor and to appropriate fiscal and  
10 policy committees of the Legislature by December 31, 2010.

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13 **All matter omitted in this version of the bill**  
14 **appears in the bill as amended in Senate,**  
15 **May 20, 2009 (JR11)**  
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